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STATUTORY INSTRUMENTS

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**2013 No. 1512**

**The Health and Safety (Miscellaneous Revocations and Amendments) Regulations 2013**

**Amendments to the Work at Height Regulations 2005**

- 5.—(1) The Work at Height Regulations 2005(1) are amended as follows.  
(2) After regulation 8, insert—

**“8A Dock Operations**

In relation to work at height where people are engaged in dock operations, every employer shall ensure that Schedule 9 is complied with.”.

- (3) After Schedule 8, add—

“SCHEDULE 9

Regulation 8A

**REQUIREMENTS FOR WORK IN DOCKS**

1. In relation to work at height where people are engaged in dock operations, there shall be secure and adequate guardrails at the following places—

- (a) every break, dangerous corner and other dangerous part or edge of a dock, wharf, quay or jetty; and
- (b) every open side of a gangway, footway over a bridge, caisson or dock gate,

except in so far as the provision of such guardrails is impracticable because of the nature of the work carried out there and the work is in progress.

2. In this Schedule—

“dock gate” means any lock gate or other gate which can close off the entrance to the dock or part of the dock from the sea or other waterway but does not include any gate on land which controls access by vehicles or pedestrians;

“dock operations” means—

- (a) the loading or unloading of goods on or from a ship at dock premises;
- (b) the embarking or disembarking of passengers on or from a ship at dock premises;
- (c) any activity incidental to the activities in sub-paragraph (a) or (b) which takes place on dock premises, including any of the following—
  - (i) the fuelling and provisioning of a ship;
  - (ii) the mooring of a ship;
  - (iii) the storing, sorting, inspecting, checking, weighing or handling of goods;
  - (iv) the movement of goods, passengers or vehicles;

- (v) the use of welfare amenities in relation to the activities in sub-paragraph (a), (b) or (c)(i) to (iv);
- (vi) attending dock premises for the purposes of the activities in sub-paragraph (a), (b) or (c)(i) to (v); or the embarking or disembarking on or from a ship of its crew at dock premises,

but does not include—

- (d) the loading or unloading of goods or embarking or disembarking of persons on or from a pleasure craft or any activity incidental to those activities; or
- (e) beach landing operations wholly carried out by serving members of Her Majesty's Forces or visiting forces within the meaning of the provisions of Part I of the Visiting Forces Act 1952<sup>(2)</sup> or a combination of both;

“dock premises” means any dock, wharf, quay, jetty or other place at which ships load or unload goods or embark or disembark passengers, together with neighbouring land or water which is used or occupied, or intended to be used or occupied, for those or incidental activities, and any part of a ship when used for those or incidental activities;

“freight container” means a container as defined in regulation 2 of the Freight Containers (Safety Convention) Regulations 1984<sup>(3)</sup>;

“goods” includes—

- (a) animals;
- (b) pallets and freight containers;
- (c) waste;
- (d) solid ballast;
- (e) vehicles which are being transported as cargo;

“pleasure craft” means any description of vessel when used solely for sport or recreation, other than for carrying fare paying passengers;

“ship” includes all vessels and hovercraft which operate on water or land and water;

“vehicle” includes all lift trucks, locomotives and rolling-stock, and trailers and semi-trailers and other mechanical plant which moves on wheels, tracks, skids or any combination thereof;

“vessel” means any description of craft used for the transport of goods or passengers or the storage of goods or the accommodation of passengers on water, whether used in navigation or not;

“welfare amenities” means—

- (a) sanitary conveniences;
- (b) baths and shower baths;
- (c) washing facilities;
- (d) a supply of wholesome drinking water;
- (e) a supply of protective clothing, that is to say, clothing suitable for the protection of the wearer in refrigerated spaces or against dirt from handling dirty goods or against inclement weather;
- (f) accommodation and facilities for changing into clothing worn during working hours and for storing and drying clothing;

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(2) 1952 c.67, to which there are amendments not relevant to these Regulations.

(3) S.I. 1984/1890, to which there are amendments not relevant to these Regulations.

- (g) canteens, or accommodation and facilities (including facilities for heating food and boiling water) for workers employed at dock premises to eat meals provided by themselves;
- (h) shelters for use during inclement weather.”.